

## O'Leary Takes Stand in His Own Defence

Traces Activities for Many Years, Denying Meeting Mme. Victoria at Beach

Tells of Closing "Bull"

Robinson, Alleged Messenger, Refuses to Answer Questions Put by Osborne

Jeremiah A. O'Leary, on trial in the United States District Court, before Judge A. N. Hand, for the last five weeks, charged with having violated the espionage act, took the stand in his own defence yesterday.

Colonel Felder, O'Leary's counsel, had O'Leary trace his activities beginning in October, 1903. O'Leary testified that he began to practise law at that time, having his offices at 220 Broadway for a period of four or five years, then moving to 38 Park Row, where he had offices with two partners, Fred O. Nelson and R. Frank Thomson.

From 38 Park Row O'Leary testified that he had moved to 21 Park Row, explaining that he was ill at the time when the moving was decided upon, and that shortly afterward he turned the business over to a Mr. Jones, who had offices with him, telling him that he could do what he wished with the business and the profits that might accrue therefrom.

Asked why he turned the business over to Jones, O'Leary explained that he was under indictment at the time and did not wish to encumber Jones in any way.

**Traces Health Decline**

O'Leary traced the history of his sickness from as far back as 1912. He said the American Truth Society was organized in January, 1912, and as a result of the many activities caused by the formation of this society his health declined again.

O'Leary testified that the detailed narration of his many sicknesses up to August 16, 1917, when he left the city and made a trip to Montreal, Canada, stopping on his way back at Glen Falls, N. Y., where he stopped with a relative, a Mrs. Brown, reaching New York City finally about October 1, 1917. Previous witnesses for the prosecution testified that O'Leary was seen during this period, about August 31 or September 1, with Mme. Victoria at Long Beach, but according to O'Leary he was leaving Montreal at the time Mme. Victoria also testified to that effect.

Asked by Colonel Felder whether he had ever been to Long Beach O'Leary said that he had been in Long Beach three times.

**Denies Meeting Her There.**

O'Leary denied having seen Mme. Victoria at Long Beach on any of the trips, of having talked to her there, or having walked with her there, or of having known if she was stopping in a hotel at Long Beach.

Asked by Colonel Felder, when he got the first intimation that he was being investigated, O'Leary answered: "Since January 1, 1915, until my indictment, I have been continually under investigation, and there is not a German alien or German-American who has come into the hands of the Department of Justice who has not been offered his liberty in exchange for mine."

**Police Orders**

Appointed Probationary Patrolmen (Training School) - Herbert Baker, George E. Behr, Raymond T. F. Bowen, William R. Francis, X. Cahill, Stephen Connolly, Stephen J. Devine, John A. Dineen, Frank Donnelly, George P. Engel, Jr., Thomas J. Grealis, David E. Heffernan, William H. Hosen, Walter W. Joseph, William B. Joseph, David E. McGuinness, Frank X. McKeown, John P. Maxwell, George M. Myhrberg, John P. Morrow, Edward F. Nelson, Robert P. Pasquale, Philip J. Rezan, Charles C. Saege, August Schreiber, Jr., John J. Short, William M. Smith, John J. Tennant, Joseph A. Tomaszewski, Walter R. Wainword, Guthbert J. Behan, Harold H. Boyle, Henry Bruder, Jerome J. Butler, Morris D. Coffey, John J. Conway, Jr., Arthur P. D. Nyse, Joseph P. Dolan, Frank M. J. Eisenhauer, William J. Etkerson, Abraham Fine, Edward F. Gallagher, John Healy, Paul A. Hennessy, George P. Hurst, Thomas C. Kelly, John P. Kennedy, Patrick Lantry, James Lynch, James J. McKenna, George S. Mahoney, Joseph B. Mulligan, George J. Neider, Francis Naughton, George J. Neider, Frederick Petermann, Owen T. Redfort, Joseph H. Reuch, Frank J. Scanlon, Charles F. Seusing, Frank J. Smith, Nicholas T. Sullivan, Adolf J. Thompson, George Vanhove, Jr., August H. Wergin.

**Ended Magazine's Publication**

O'Leary said he "killed the Bull" as soon as he learned it was suspected the magazine was trying to obstruct the war. He put the magazine out of existence in October, 1917.

Asked whether he had read an official copy of the espionage act as it was finally passed by Congress, O'Leary replied that he only saw an official copy after he was indicted but before that had read excerpts of the act in the newspapers.

O'Leary said he went to Henry A. Wise, formerly United States Attorney, and consulted him as to the course he should pursue in the trouble he was having with the government. O'Leary testified that Mr. Wise advised him if "his hands were clean" to go before the grand jury. This he did.

O'Leary told of asking former Judge W. M. K. O'Leary, to defend him, and by Judge O'Leary a few days later, that at a meeting of his law partners it was decided that because of the attitude of the newspapers and the prejudice existing against O'Leary, it was their opinion that they could not act for him.

Another lawyer, John M. Boyle, O'Leary said also declined to take his case.

**Waived Immunity, He Said**

Asked whether he had waived immunity when he went before the Grand Jury, O'Leary replied: "When I went before the Grand Jury I waived all immunity. I told them they could hang me, or do anything they wanted to with me, if they found anything on me."

At the morning session J. Willard Robinson, who has been in the Tomba under indictment for treason, was put on the stand by the defense, in an effort to disprove the accusation that he made a series of trips to Holland in the interests of O'Leary.

## Baff Perjury Inquiry to Begin Monday Afternoon

Judge John F. McIntyre, one of the three Democrats on the General Sessions bench, informed District Attorney Swann yesterday that he would accept the latter's invitation to sit as a committing magistrate in the "John Bull" inquiry into alleged perjury and subornation during the trial of Joseph Cohen. The latter is now in the dock at Sing Sing for instigating the murder of Bernard Hoff in 1914. The inquiry will begin at 2:30 Monday afternoon. Assistant District Attorney Alfred J. Talley, who with Assistant District Attorney Ferdinand Pecora, will conduct it for District Attorney Swann, declined to divulge the names of his witnesses.

## "Jewish Daily Warheit" Absorbed by "The Day"

The "Jewish Daily Warheit," a Tammany organ, with offices at 153 East Broadway, issues its new edition to-day. "The Day," another Jewish newspaper, will announce that it has absorbed the assets and good will of the "Warheit."

The "Warheit" was founded in 1905 by Louis E. Miller, now a correspondent at the peace conference for "The Day." It attained a circulation of 100,000.

In 1914 the paper went into the hands of Municipal Judge Aaron J. Levy, a Tammany politician, who has since controlled its policy.

During the last two years the "Warheit" sank rapidly. The publishers were called before the Senate committee investigating pro-German activity in this country to answer charges made against them by Miller. The circulation figures for 1917 were 50,211.

## P. S. Commission Bill Is Amended; Powers Reduced

**Staff Correspondence**

ALBANY, Feb. 27.—The powers of the Public Service Commission, as provided in the original municipal ownership bill, are considerably clipped in amendments agreed to to-day at a conference of legislators. The changes meet objections voiced at the hearing on the bill this week, particularly on the part of Mayor Hylan. He has persistently held out in his opposition to the bill which was drafted by the Mayor's conference because of the broad powers it gave the Public Service Commission.

The bill gave the Public Service Commission the final say as to whether a municipality should be permitted to acquire a public utility. The commission could also determine the terms on which public utilities were to be taken over and make rulings governing the in the issuance of bonds is necessary.

Under the amendments the Public Service Commission has the power to issue a certificate of convenience and necessity for the acquiring of a public utility only when the city establishes a new competing utility and operates outside of its boundaries. The authority of the Public Service Commission in the issuance of bonds is necessary only when they are against the property and good will of the utility, but not as an obligation of the city itself.

In the matter of rates the approval of the Public Service Commission is not necessary, except to guarantee sufficient return to pay fixed charges. It is up to the city to determine whether to pay operating expenses out of earnings or take a part of the city's tax levy.

Another amendment provides that the courts instead of the Public Service Commission shall fix the price of a utility. The court, however, may call upon the Public Service Commission for assistance. If an agreement on the price is reached between the corporation and the city authorities, the people before final acceptance may by the initiative and referendum vote to have the Public Service Commission make an appraisal of the property. This is to prevent collusion.

**Policeman Sentenced to Two Years in Sing Sing**

Officer Sixteen Years on the New York Force Convicted of Silk Theft

Robert E. McDonald, a policeman, sixteen years on the New York force, was sentenced yesterday by Judge McIntyre to from one year and three months to two years and six months in Sing Sing Prison. He was convicted of stealing a quantity of silk and \$315 from Isador Cohen, of 267 New Jersey Avenue, Brooklyn, as the latter was about to purchase it from Nathan Schneider at 324 Ten Eyck Avenue, last November. While the men bargained McDonald announced that the silk was stolen property and that he was a detective. McDonald was formerly attached to the Madison Street station.

Max A. Stein, of 491 East Seventeenth Street, and Meyer Horowitz, of 131 Henry Street, who arranged the sale and, it is said, shared in the loot, also sentenced to similar terms by Judge McIntyre. Schneider, who turned out to be evidence, was released on a suspended sentence.

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**Reinstatement**

As patrolman, first grade - February 26, Peter A. Ratto, 4th.

**Transfers and Assignments**

Patrolmen, 8 a. m., February 25 - Frederick C. Wendell, 25th to 42d, assignment as corporal; Edward Beron, 92d to 95th, assignment as corporal; continuing.

Effect 8 a. m., March 1 - James T. Hunt, 5th to 33d, day four; Charles G. McGarr, 5th to 43d; Colum Kennedy, 11th to 35th. From precincts indicated to bridges indicated: Patrick Clancy, 21st Bridge; John J. Sullivan, 99th to Bridge B; Patrick J. Curran, 12th to Bridge C.

Effect 12 a. m., February 26 - From National Defence to precincts indicated, leaves revoked: Frederick A. Hill, 13th; Franklin S. Travis, 24th; James A. Dunn, H. D. Training School.

**Temporary Assignments**

Patrolmen William J. McCabill, 26th to Headquarters, office Police Commissioner, 15 days, 8 a. m., March 1; Charles G. Orr, 15th to Headquarters, office property clerk, 15 days, 8 a. m., March 1; George Green, Headquarters, from office chief inspector to division of repairs and supplies, 15 days, 8 a. m., March 1; Frederick Heidman, National Defence, to clerical duty, 15 days, 8 a. m., March 1.

For 15 days, from 8 a. m., March 1 - From precincts indicated to 3d Inspection, alleged disorderly hotels: William Wist, 21st; John McCormack, 37th; Jacob Saylor, 21st.

From precincts indicated to 5th Inspection, alleged disorderly hotels: John S. Oberhaus, 12th; Frank Shumaker, 36th; Frederick Wotrich, 25th; George S. Peters, 36th; Frank Adams, 37th; Michael McGuirk, 38th; Peter J. Reilly, 28th; John J. Garrigan, 42d; Thomas Madigan, 43d.

From precincts indicated to Headquarters, office Police Reserve - Walter Fitzgerald, 28th; Joseph P. O'Hara, 32d.

From precincts indicated to Headquarters, office 4th Deputy Police Commissioner - Matthew D. Kelly, 5th; John J. Haslach, William G. Murray, 36th; Charles Kuennmund, 32d.

**Appointed Special Patrolmen**

James Grindley, the New York Dock Company, February 17; Patrick Sheehan, Chesbrough Building Company, February 17; John Finn, Brooklyn Rapid Transit Company, February 17; John H. Corde, Woodlawn Cemetery, February 21; James E. Plant and Structures, February 24; Patrick Wade, Miller, Roe & Hagen, February 25.

**Special Patrolman Revoked**

Samuel Albert, Department of Finance, February 21.

**Death of Special Patrolman**

Walter S. Wolfe, Department of Finance, February 21.

## Blood Stains Are Found on Coppola's Auto

District Attorney Swann Offers Aid in the Mystery of the Missing Chauffeur

Many bloodstains, previously hidden from view, were discovered yesterday in the automobile belonging to Charles Coppola, the missing young chauffeur of South Norwalk, Conn. On the strength of this District Attorney Swann wrote last night to State's Attorney Homer J. Cummings, of Fairfield County, Conn., notifying him that in all probability homicide had been committed, presumably in Connecticut, and offering his cooperation in the search for the missing boy.

Meanwhile, Arthur W. Pratt, forty-two years old, of Darien, Conn., who is held in \$5,000 bail in the Yorkville Court, charged with stealing Coppola's car, valued at \$960, obtained through his counsel, John McKim Minton, Jr., a writ of habeas corpus from Justice Bijur in the Supreme Court to test the validity of the complaint on which he is held. Assistant District Attorney Albert B. Unger opposed the issuance of the writ. After arguments on both sides Justice Bijur dismissed the writ, saying:

"The fact that this defendant offered to sell a perfectly good \$750 car for \$325, if he received \$25 cash down, together with the fact that he gave his name as Clark in trying to take out a license in the City of New York, is sufficient to show some evidence of guilt. The writ therefore is dismissed."

Pratt, whose bond was furnished by his aunt, Mrs. Josephine Campbell, of 266 West Fortieth Street, was remanded to the Yorkville court to be readmitted to bail.

District Attorney Swann, in his letter to Attorney Cummings, inclosed a lengthy statement of facts disclosed by Mr. Unger's investigation of the mystery during the last week. After pointing out there was no reason why Coppola should absent himself, District Attorney Swann said:

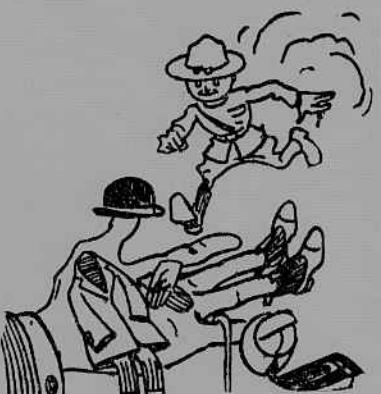
"Since dictating the inclosed report Dr. Otto H. Schulze, my medical examiner, in company with Mr. Unger, has made another examination of the automobile, and numerous other stains, similar in appearance to those which Dr. Schulze has already pronounced to be blood stains, appear on the car in the proximity of the driver's seat. There are also stains on the floor board which have the appearance of being blood stains and which are now being subjected to analysis."

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No delay. You get what you want when you want it. No extravagance! Prices reasonable.

No regrets! Your moneyback if you want it.

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1/2 Price Sale

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Sale Price

4.6x4.6	8.00 to 10.00
7.0x4.6	12.00 to 15.00
9.0x4.6	15.00 to 20.00
6.0x6.0	13.50 to 17.50
7.6x6.0	17.50 to 25.00
9.0x6.9	25.00 to 35.00
10.6x6.9	32.50 to 37.50
10.6x7.6	35.00 to 47.50
12.0x9.0	37.50 to 52.50
13.6x9.0	47.50 to 57.50

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FOULARDS

Imported and Domestic

Foulard Silks—black, navy, medium and light grounds—with a variety of designs. 40 inches wide.

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Special 2.50

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CREPE de CHINE

40 inches wide—an excellent quality in

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Gobelin	Old Rose
Silver	Reseda
Carnet	Wistaria
Myrtle	Brown

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SPRING PLAIDS

The newest of all wool color combinations are here in a varied and unusually attractive assortment, 54 inches wide.

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SPRING SERGES

An all wool, excellent quality, 40 inches wide, for suits and dresses, in Navy, Brown, Green, Black

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2,000 Yards

JERSEY CLOTH

54 inches wide—featuring the latest colors, which include

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Taupe	Turquoise
Black	French Blue
Purple	Rose

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GEORGETTES

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Ivory	Ciel
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Old Rose	Silver
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Lilac	Carnet
Plum	Taupe

Etc.

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35 inches wide—chiffon finish—in Rose, Purple, Sand, Cardinal, Marine, Sapphire, Saxe, Navy, Taupe, Havana, Plum, Ivory, Ciel, Pink, etc.

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40 inches wide—soft, medium weight finish.

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All our better grades of khaki and grey strictly all-wool yarn reduced to the lowest point for immediate clearance.

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Light Brown	Dark Auburn
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